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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,686	02/22/2002	Faruk Mehmet Omer Eryurtlu	Eryurtlu -3	3747

7590 07/28/2004

Lucent Technologies Inc  
Docket Administrator Room 3J 219  
101 Crawfords Corner Road  
Holmdel, NJ 07733-3030

EXAMINER

TORRES, JOSEPH D

ART UNIT	PAPER NUMBER
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2133

DATE MAILED: 07/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/069,686

Applicant(s)

ERYURTLU, FARUK MEHMET  
OMER

Examiner

Joseph D. Torres

Art Unit

2133

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. This application does not contain an abstract of the disclosure as required by 37 CFR 1.72(b). An abstract on a separate sheet is required.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the output signal" in line 6 and 8. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the last macroblock" in line 9. There is insufficient antecedent basis for this limitation in the claim. Note also the term "the last macroblock" can have two different connotations a) the last received macroblock, i.e., the macroblock that is currently being processed or b) the last macroblock in a sequence of macroblocks.

Claim 4 recites the limitation "the pixels" in line 3 twice. There is insufficient antecedent basis for this limitation in the claim.

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Claim 4 recites the limitation "the difference A" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the reconstructed values" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the difference B" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the reconstructed values" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the pixels" in line 5 twice. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the reconstructed values" in line 5. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the immediately preceding frame" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "the error margin" in line 6. There is insufficient antecedent basis for this limitation in the claim.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

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3. Claims 1-3 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Urano; Takashi et al. (US 5767898 A, hereafter referred to as Urano).

35 U.S.C. 102(b) rejection of claims 1-3 and 5.

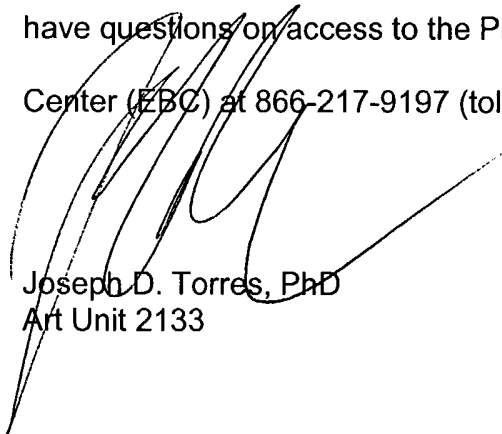
Urano teaches a first comparator for comparing macroblocks in successive frames in the output signal from said decoder (col. 9, lines 21-35 of Urano teach that decoding is performed under the control of read controller 134 in Figure 8 of Urano; col. 9, lines 50-53 of Urano teach that Detector 210 in Motion Detector 138 in Figures 8 and 12 of Urano comprises a compare function for comparing macroblocks SMB), applying said specific difference criteria to provide an indication of whether inter-frame prediction should apply or not (the MBT signal in Figure 12 of Urano uses difference criteria from detectors 216, 226, 228 and 230 in Figure 12 to determine if inter-macroblock frame prediction is required), and a second comparator for comparing the output from the first comparator with an output from the decoder indicative of whether or not the last macroblock received was in inter-frame prediction format or not (see second comparator 232 in Figure 12 of Urano) and operable to generate an error signal when a divergence is detected (col. 14, lines 57-60 in Urano).

### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D. Torres whose telephone number is (703) 308-7066. The examiner can normally be reached on M-F 8-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Albert Decady can be reached on (703) 305-9595. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Joseph D. Torres, PhD  
Art Unit 2133